

FARMINGTON CITY PLANNING COMMISSION

Thursday, April 10, 2008

PLANNING COMMISSION STUDY SESSION

Present: Chairman Kevin Poff, Commission Members Paul Barker, Randy Hillier, Craig Kartchner, Steve Andersen, City Planner David Petersen, Recording Secretary Kami Mahan, and City Attorney Mike Mazuran. John Bilton, Rick Wyss and Jim Young were not present.

Chairman Poff called the meeting to order at 6:07 p.m.

Ethics Training

City Attorney **Mike Mazuran** presented training on the Municipal Officers and Employees Ethics Act.

Acts Prohibited:

1. Passing out protected information.
2. Using one's position to give out information.
3. Receiving gifts for oneself or another (does not apply to non pecuniary gifts less than fifty dollars).
4. Awards presented publicly
5. Political contributions

Acts Allowed:

1. Compensation for assisting in a city transaction, when a sworn statement is filed with the Mayor.
2. Interest in a business entity regulated by the City, provided a disclosure statement is filed.
3. Interest in a business entity to do business with the City, provided a disclosure statement is filed.
4. A personal interest or investment by a Commissioner creating conflict between duties and personal interest should be disclosed in a meeting with the body.

Mr. Mazuran explained the penalties for violation and gave case examples. He distributed a "quiz" with examples of conflict of interest situations and reviewed it with the Commissioners. **Mr. Mazuran** answered Commissioner's questions regarding disclosure and potential conflict of interest.

The meeting adjourned at 7:00 p.m.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Kevin Poff, Commission Members Paul Barker, Randy Hillier, Steve Anderson, Craig Kartchner, City Planner David Petersen, and Recording Secretary Kami Mahan. John Bilton, Rick Wyss and Jim Young were excused.

Chairman Kevin Poff called the meeting to order at 7:08 p.m. **Steve Andersen** offered the invocation.

APPROVAL OF MINUTES (Agenda Item #1)

The Commission reviewed the minutes of the Planning Commission meeting held March 27, 2008.

Motion

Steve Andersen moved to approve the minutes of the March 27, 2008, Planning Commission meeting, with changes as noted. **Craig Kartchner** seconded the motion, which passed by a unanimous vote.

Chairman Poff stated that he had never signed approved minutes from past meetings. **David Petersen** said Planning Commission Secretary Melissa Jackson would provide the minutes to **Mr. Poff** for his signature.

CITY COUNCIL REPORT (Agenda Item #2)

David Petersen reported the proceedings of the City Council meeting held on April 1, 2008. He covered the following items:

- The Station Park development agreement was continued to the April 15th City Council meeting.
- The Front Runner Grand Opening will be held on April 26th. The Commission briefly discussed the temporary road to the station. **Chairman Poff** suggested that signage should be required to provide direction on the road. **Mr. Petersen** said he would send details of the Front Runner opening to the Commissioners.

(PUBLIC HEARING) - FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND THE GENERAL PLAN (MAP AND TEXT) BY SHOWING A PARK IN THE VICINITY OF EAGLE BAY ELEMENTARY SCHOOL

AT APPROXIMATELY 1950 WEST CLARK LANE (MP-1-08) (Agenda Item #3).**Background Information:**

For the past several months representatives from the HOA and City officials have been planning for the creation of public park at the above referenced location. The existing General Land Use Plan of the General Plan, and accompanying text, does not show a future neighborhood park in the vicinity 1950 West Clark Lane.

As an element of the Farmington City General Plan the City adopted a Leisure Services & Parks Master Plan in 2001. An update of this element is now underway and should be completed in 4 to 6 months. The proposed park should also be included as part of this update.

END OF PACKET MATERIAL

Chairman Poff introduced this Agenda item. **David Petersen** pointed out the property on the overhead map and reviewed the background information and history of the proposed neighborhood park. He explained that there is some debate over how the stream channel on the property should be addressed.

Mr. Petersen explained that the Leisure Services and Parks Master Plan is being prepared for the Planning Commission's consideration. The Farmington Ranches HOA has a committee working on a design which they would like to include as part of a conditional use application in working with the City. Details of the park are to be worked out in the future.

Craig Kartchner disclosed that he is on the Board of the Farmington Ranches HOA.

Public Hearing Opened

Chairman Poff opened the meeting to a public hearing.

Public Hearing Closed

There were no public comments. **Chairman Poff** closed the public hearing and turned the matter over to the Commission for discussion.

Steve Andersen stated that after walking the area, he determined that parking is inadequate. Cars will have to park at access points.

It was clarified that the HOA will still meet the open space requirement if this parcel is

dedicated to the City. The Commission discussed potential areas for parking.

Motion

Craig Kartchner moved that the Planning Commission recommend the City Council amend the General Plan in both the General Land Use Plan Map (and accompanied text) and the Leisure Services & Parks Master Plan element of the General Plan to include a future neighborhood park in the vicinity of 1950 West Clark Lane.

Randy Hillier seconded the motion, which passed by a vote of 4-1, with Commissioners **Randy Hillier, Craig Kartchner, Paul Barker and Chairman Poff** voting in favor, and Commissioner **Andersen** voting in the negative.

Findings:

1. A large number of families reside in close proximity to the proposed park. A park at this location will support two policies of the General Plan to “Maintain Farmington as a peaceful, family-oriented, pastoral community” and to “Plan growth carefully to preserve an open, uncongested City whose buildings blend with and enhance the historical buildings and the natural beauty of the land and Lake.”
2. A park at this location is consistent with the most “significant” goal of the General Plan of “creating within the community a healthy, attractive, and pleasant living environment for its residents.
3. It helps maintain Farmington as a community with a rural atmosphere, preserving the beauty of the surrounding countryside.
4. A park close to the residents in west Farmington will reduce the number of cross town trips on public streets thereby providing for harmonious, coordinated, and controlled development within the City so as to avoid undue impact on public facilities, public services, and the physical environment.
5. It provides greater opportunities for activities involving an entire neighborhood and thereby help maintain Farmington as a cohesive community.
6. It enhances the City’s goal to continue to develop a park system and

coordinated recreation programs based on recognized National standards, which include neighborhood parks, ½ to 5 acres in size, provided at the ratio of two acres per 1000 people with a service area consisting of a 1/4 to ½ mile radius.

7. The park will help support the trails system in the City which includes bike paths, jogging/hiking trails, and equestrian trails which will provide links between parks and service centers. And where possible, it utilizes existing utility corridors, natural drainage corridors, and other non-vehicular rights-of-way for the trail system.
8. Acquisition of park space supports this goal of the General Plan: “The acquisition and development of open space and park property should be a priority of the Capital Improvement Program.”
9. The Plan furthers the goal of continuing to conserve conservation and open space land including those areas containing unique or natural features such as meadows, grasslands, tree stands, streams, streams corridors, watercourses, wildlife corridors and/or habitat, and green space by setting them aside from development.
10. Commissioner **Steve Andersen** stated that the basis of his objection to the proposal is because of inadequate parking in the area.

Mr. Andersen added that he defers the decision to the City because of the time that has been spent working on the proposal. **Dave Petersen** pointed out that the land itself for the park will be acquired at not cost to the City.

CONSIDERATION OF A RECOMMENDATION REGARDING A PETITION TO AMEND THE FARMINGTON RANCHES PHASE 3 AND 4 SUBDIVISION PLATS BY VACATING TWO PARCELS AND RECORDING TWO PLATS ESTABLISHING FIVE PARCELS IN PLACE THEREOF (S-3-08) (Agenda Item #4).

Background Information:

For the past several months representatives from the HOA and City officials have been planning for the creation of public park on Parcel G (Phase 3), Parcel 4A (Phase 4), and Parcel 5A (Phase 5) of the Farmington Ranches Subdivision. One culmination of this effort will occur April 15, 2008, where agreements, documents, conservation easement amendments, and plat amendments will be considered by the City Council to enable the City to establish a park. In the event this takes place, the City will likely pursue (in the future) conditional use and site plan

approval from the Planning Commission for the park.

END OF PACKET MATERIAL

Chairman Poff introduced this Agenda item, and **David Petersen** explained the background information of the proposal. He said an objection was received from a citizen, which was withdrawn after the complainant was informed that the area is proposed as a park.

Mr. Petersen answered questions from Commission members with regard to which parcels are being considered, the HOA's agreement to the proposal, public opinion, and the Commission's responsibility on this issue.

Motion

Randy Hillier moved that the Planning Commission recommend the City Council approve the plat amendments as requested. **Paul Barker** seconded the motion, which passed by a vote of 3-0, with **Craig Kartchner** abstaining due to a potential conflict of interest.

Findings:

1. The plat amendments will accommodate a much needed public park in the area.
2. The recommendation is consistent with a previous recommendation to amend the General Plan to establish a park in the area.
3. It allows the City to provide a park on property owned by the City.
4. It further allows the HOA to retain property, which includes the creek, until risk management and aesthetic issues regarding the creek, and other issues related to the proposed park, can be resolved.
5. In the event a park is not established, the parcels will still remain as open space due to a previously recorded conservation easement and because the parcels do not constitute building lots.

HISTORIC PRESERVATION PRESENTATION AND DISCUSSION (Agenda Item #5).

Chairman Poff welcomed the members of the Historic Commission who were present. He said that the Commission's concerns at the previous Historic Preservation presentation were the criteria used for placing a building on a historical registry, and whether it can be done

without the owner's knowledge or approval.

David Petersen said City staff was proposing a text amendment calling for a landmark designation list. Time was turned over to **Alysa Revell** and other representatives of the Historic Commission to give their presentation.

Ms. Revell introduced Historic Commission members present at the meeting and other representatives **Barbara Murphy, Cory Jensen, Rob White, Pat Achter, Annette Tidwell, John Anderson, and Steven Garrett**. Several handouts were distributed during the presentation, including "The Alliance Review - A Commission's Legal Toolbox," a section of the Utah Code (17A-3-1302) entitled "Declaration of legislative intent," a brochure advertising the upcoming Utah Preservation Conference, and "The (Economic) Value of National Register Listing."

Barbara Murphy, Deputy Director of the State Historic Preservation Office, gave an overview of how cities in the nation and state handle historical preservation. She referred to the upcoming Utah Heritage conference April 17th - 19th, and **David Petersen** said that he, **Craig Kartchner** and **Paul Barker** are planning to attend part of the conference. The City will pay the application fees for Commissioners wanting to attend.

Cory Jensen, National Registry Coordinator for the State Historic Preservation Office, explained the purpose and nature of the National Register and historic districts, and the benefits of restoring or rehabilitating historic buildings. He said that architectural preservation is becoming more popular and valuable as a tourist attraction, and clarified that placement on the National Historic Register does not place any restrictions on the homeowner unless a federal agency is involved.

Rob White, former Executive Director of the Utah Heritage Foundation, explained some of the economic benefits of historic preservation, and gave an example from the Avenues area of Salt Lake City.

Alysa Revell passed out copies of the final revision of Chapter 39 of the City Code and said that this proposal supports the city's zoning and visioning plan.

In response to issues of concern raised by the Planning Commission, it was clarified that the specific criteria used to list homes on historical registries was addressed in the ordinance. Fifty percent of the people in a proposed historic district have to object in order for that district not to be listed on the registry. The benefits of being listed were explained. Inclusion on the registry requires that a public process be followed. A homeowner being unknowingly listed would not occur.

Salt Lake City has individual city-listed landmarks in addition to historic districts, which fall under the same restrictions as if they were in a district. Residential property is not eligible for the state tax credit program. The State registry was deactivated years ago.

The Historic Preservation representatives explained what constitutes eligibility for both inclusion on the National Registry, and for buildings to receive tax credits and funding for historic restoration.

Steve Andersen asked if there was an economic benefit to have a district designated rather than a single building, and said the Commission had been concerned that historic properties would not sell because of restrictions. **Ms. Murphy** said historical designation actually increases value and desirability, and prevents neighbors from doing outlandish things to their property.

Criteria for registry designation was discussed, as well as how to publicize and promote the concept of historical preservation. **Chairman Poff** stated that the ordinance will be reviewed by the Planning Commission.

MISCELLANEOUS, CORRESPONDENCE, ETC. (Agenda Item #6)

David Petersen asked the Commission when they would like Melanie Hepworth Neville and her Cub Scouts to give their presentation on "Save Our Stars." **Chairman Poff** suggested that it be held during a meeting with a light agenda.

Mr. Petersen briefly reviewed the items in the Commission packet regarding the Lagoon Shuttle, cemetery rates, and potential legal liability for denial of permits for residential treatments centers.

Mr. Petersen updated the Commission on the Station Park development agreement, and this was discussed.

Hidden Meadows Subdivision Field Trip Discussion

Mr. Petersen explained that a recommendation is needed by the Planning Commission to allow the developer of the Hidden Meadows Subdivision to cut back a portion of a knoll on the property. It was agreed that two or three members of the Commission would take a field trip to the property and report back to the other members at the next meeting. A confirmation email on the field trip will be sent to the Commissioners.

Motion

Craig Kartchner made a motion to form a subcommittee to look at the Hidden Meadows Subdivision to determine whether the proposed cutback of the 30 percent slope is aesthetically pleasing and otherwise desirable. The motion was seconded by **Steve Andersen** and passed unanimously.

Other Business

David Petersen distributed copies of the Officer and Employee Disclosure Statement forms.

Mr. Petersen also announced that an additional Recording Secretary is being hired, and asked Commission members to inquire whether anyone they know might be interested.

Chairman Poff updated the Commission on the zoning text ordinance review, which was briefly discussed.

ADJOURNMENT

Steve Andersen moved to adjourn. **Craig Kartchner** seconded the motion, which passed unanimously. The meeting adjourned at 8:50 p.m.

Kevin Poff, Chairman
Farmington City Planning Commission